

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Re:

GREGORY WILLIAM BURR

Debtor

Case No: 14-56968

Chapter 7

Judge C. Kathryn Preston

SSN: xxx.xx.0635

**TRUSTEE'S NOTICE OF INTENT TO SELL
THE 2004 LEXUS GX7 TO THE DEBTOR**

Case Trustee, Brent Stubbins, hereby gives notice pursuant to 11 U.S.C. Section 363(b)(1), Bankruptcy Rule 604, and Local Bankruptcy Rule 6004-1(b)(1), of his intent to sell property of the Estate other than in the ordinary course of business. The Trustee intends to sell the property described below on the terms and condition set forth below.

1. The case was filed under Chapter 7 of the Bankruptcy Code on October 1, 2014.
2. Property of the Bankruptcy Estate includes a 2004 Lexus GX7.
3. The Debtor did not originally schedule the 2004 Lexus GX7, the Trustee found the 2004 Lexus GX7 owned by the Debtor while searching the registration records of the Ohio Bureau of Motor Vehicles.
4. On December 8, 2014, the Debtor amended his Schedule B and Schedule C to add the 2004 Lexus GX7.
5. The December 8, 2014, amended Schedule B lists the Lexus GX7 with a value of \$9,927.00.
6. The December 8, 2014, amended Schedule C lists an exemption of \$4,900.00, leaving \$5,027.00 of equity in the Lexus GX7.
7. The Debtor, through his attorney, made an offer of \$3,000.00 for the Lexus GX7. The Debtor agreed to 10 payments of \$300.00 each.
8. The Debtor's Attorney contacted the Trustee on March 3, 2015, stating the Debtor is having trouble coming up with the original payment amount of \$300.00 per month. The Trustee agreed to allow the Debtor to reduce the payments to \$50.00 per month and pay the balance with his Personal Injury Settlement.

9. The Trustee believes selling the Lexus GX7 to the Debtor for 59% of the non-exempt portion of the equity is a fair offer. Selling the Lexus GX7 to the Debtor will eliminate the costs of sale, the expense of an appraisal and commission fees.

The Trustee is selling the interest of the Bankruptcy Estate in the foregoing property in an “as is” condition without warranty of any kind.

/s/Brent A. Stubbins
Brent A. Stubbins (0016326)
Case Trustee
Stubbins, Watson & Bryan Co., L.P.A.
59 North Fourth Street
P. O. Box 488
Zanesville, OH 43702-0488
740.452.8484
740.455.4124 (fx)
bstubbins@zanesville.law.pro

NOTICE OF MOTION/ORDER

Brent A. Stubbins, has filed papers with the court to obtain relief sought in a Notice of Intent to Sell.

Your rights may be affected. You should read these papers carefully and discuss them carefully with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the Motion/Objection, then on or before **twenty one (21) days from the date set forth in the certificate of service for the Motion/Objection**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to Clerk, United States Bankruptcy Court, 170 N. High Street, Columbus, Ohio 43215, OR your attorney must file a response using the court’s ECF System.

The court must **receive** your response on or before the date above.

You must also send a copy of your response either by 1) the court’s ECF System or by 2) regular U.S. Mail to Brent A. Stubbins, Case Trustee, Stubbins, Watson & Bryan Co., L.P.A., 59 North Fourth Street, P. O. Box 488, Zanesville, Ohio 43701-0488 and United States Trustee, 170 North High Street, Ste. 200, Columbus, Ohio 43215.

If you or your attorney do not take these steps, the court may decide that you do not

oppose the relief sought in the Motion/Objection and may enter an order granting that relief without further hearing or notice.

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on April 22, 2015, a copy of the foregoing TRUSTEE'S NOTICE OF INTENT TO SELL THE 2004 LEXUS GX7 TO THE DEBTOR has been served electronically upon:

- Asst US Trustee (Col)
- Brian M Gianangeli
- Patrick Higgins
- Jeffrey J Madison
- Dennis J Morrison
- John J Rutter
- Brent A Stubbins
- Mark Stubbins
- Crystal I Zellar

and by regular U S Mail to the Debtors, and all parties in interest listed below and the attached Service List:

GREGORY WILLIAM BURR
7100 FRAZEYSBURG RD
NASHPORT, OH 43830

/s/ Brent A. Stubbins
Brent A. Stubbins